

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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1199SEIU, UNITED HEALTHCARE
WORKERS EAST,

Plaintiff,

07-Civ-4816 (GBD)

v.

RITE AID CORPORATION, *et al.*,

Defendants.

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SECOND DECLARATION OF NIELS HANSEN

I, Niels Hansen, am over eighteen (18) years of age and am competent to testify about and have personal knowledge with regard to the matters set forth herein.

1. I am the Director of Labor Relations and Labor Counsel for Rite Aid. I have held this position for 4 years. I am responsible for contract negotiations, grievances, arbitrations, and NLRB proceedings and matters.
2. In late March 2007, the Union demanded that Rite Aid accept card check recognition of the Union to become the collective bargaining representative for Rite Aid pharmacists employed in stores located in northern New Jersey. This demand for card check recognition was unrelated to the dispute currently before the Court with respect to the Union's attempt to represent the approximately 3,500 former Brooks and Eckerd employees.
3. In connection with this unrelated demand, by letter dated April 5, 2007, Executive Vice President, 1199SEIU, Mike Rifkin, forwarded a compilation of documents that he claimed supported the Union's position that card check was appropriate. The complete compilation of documents that Mr. Rifkin submitted is attached as Exhibit A.
4. The alleged neutrality agreement that the Union sent to me in April 2007 included a cover page setting forth an expiration or sunset date of October 31, 1998 for any neutrality obligation. (Agreement between the Union and Rite Aid dated June 29, 1998)
5. This expiration or sunset agreement was executed by the same three signatories on the same date as the alleged neutrality agreement and provided that any neutrality obligations set forth in the parties agreement ended as of October 31, 1998.

I HEREBY SOLEMNLY DECLARE AND AFFIRM under penalty of perjury that the foregoing facts set forth in this Second Declaration are true and correct to the best of my knowledge, information, and belief.

June 18, 2007
Date

Niels E. Hansen
Niels E. Hansen

Justin B. Owens

